IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 52 OF 1996

1. Tanaji Balbhim Patil,
2. Shivaji Balbhim Patil,
3. Pandhari Bhimrao Waghmode ...Appellants.
(Orig. accused Nos. 1, 2 & 6)

V/s

The State of Maharasthra ...Respondent.

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Mr. S.R. Dheple holding for R.V. More for the appellants.

Mr. A.M. Shringarpure, APP for the respondent - State.

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AND

CRIMINAL APPEAL NO.50 OF 1996

(MENTIONED, NOT ON BOARD)

1. Rambhau Dhule Takale,
2. Dattu Umaji Takale,
3. Dattu Krishna Patil
4. Baliram Babu Tambave, (Expired)
5. Raosaheb Dattu Patil ...Appellants.
(Orig. accused Nos.2,3 7,11 and 12.

V/s

State of Maharashtra ...Respondent.

Mr. T.E. Mane for the appellants.

Mr. A.M. Shringarpure for the respondent - State.

CORAM: V.M.KANADE,J.

DATE: 20th September, 2004.

PC:.

1. Heard the learned Counsel appearing for the appellants in Criminal Appeal No.52 of 1996 and the learned Counsel appearing in Criminal Appeal No.50 of 1996 and the learned APP appearing for the respondent - State in both the appeals.

2. In both these cases, appellants were convicted by the Trial Court under section 324 of the Indian Penal Code. In Criminal Appeal No. 52 of 1996, accused No.1 was sentenced to suffer R.I. for 9 months and accused Nos. 2 and 6 were sentenced to suffer R.I. for six months. In Criminal Appeal No.50 of 1996 accused No.2 was sentenced to suffer R.I. for one year, accused No.3 was sentenced to suffer R.I. for one and half years and accused No.7 was sentenced to suffer R.I. for 9 months.

3. Both the parties have amicably settled the matter and would like to withdraw the criminal prosecution against each other.

4. Section 324 of the I.P.C. is compoundable offence under sub-section 2 of section 320 with the leave of the Court. Both the Appellants are present in Court.

The learned Counsel appearing for the appellants have filed the respective affidavits of injured persons stating therein that they have no objection if the said sentences are compounded as the said incident had taken place due to political rivalry. The affidavits are taken on record and marked as "X" and "Y" for identification. Under these circumstances, offences are compounded and the criminal prosecution is accordingly dropped. The order of conviction of the trial court in respect of appellants in both the appeals is set aside and quashed. Appellants in both the appeals are accordingly discharged.

5. Both the Appeals are accordingly disposed of in the above terms.

6. All concerned to act on the copy of this order duly authenticated by the Registry.

V.M. KANADE, J.